### REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated December 20, 2007. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-11 are pending in the Application. Claim 11 is added by this amendment. By means of the present amendment, claims 1-10 are amended including for better conformance to U.S. practice, such as deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Further amendments include changing "characterized in that" to --wherein--, and amending dependent claims to begin with "The". By these amendments, claims 1-10 are not amended to address issues of patentability and Applicant respectfully reserves all rights under the Doctrine of Equivalents.

In the Office Action, claim 9 is rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. Applicant has elected to amend claim 9 to more clearly state the invention. Specifically, Applicant has amended claim 9 to state a computer-readable medium encoded with a computer program ... in accordance with the suggestions contained in the Office Action.

Accordingly, it is respectfully requested that the rejection of claim 9 be withdrawn.

Claims 1-6 and 8-10 are rejected under 35 U.S.C. §103(a) as allegedly obvious over U.S. Patent No. 5,986,662 to Argiro ("Argiro") in view of U.S. Patent No. 6,629,937 to Watrous ("Watrous"). Claim 7 is rejected under 35 U.S.C. §103(a) as allegedly being obvious over Argiro in view of Watrous, in further view of U.S. Patent No. 6,650,729 to Braess ("Braess"). It is respectfully submitted that claims 1-11 are allowable over Argiro in view of Watrous alone, and in view of Braess for at least the following reasons.

Argiro shows a system that requires either additional data to accompany the images or requires a user to make decisions about how the data is processed. Argiro makes clear that "[i]n one embodiment of the invention, the protocol is automatically selected based on the DICOM data header, in the case where the data is obtained by retrieve data set component 108 from a DICOM server, network, file, etc. A protocol is defined as a group of preset settings for a patient's data set." (See, Argiro, col. 10, lines 38-43.) In Argiro, (emphasis added) "[p]rotocol selector component 110 matches protocol selector field 182 with a protocol name 188 to

determine which protocol 186 to use for the particular data 180.
The external configuration file specifies which protocol selector
fields are to be matched with which protocol names. In the case
where the data source is from a non-DICOM source, and the data does
not contain information as to a protocol selector field 182,
protocol selector component 110 uses a default protocol." (See,
col. 11, lines 12-20.)

It is respectfully submitted that Argiro does not teach a
system that analyzes the image to automatically select one or more
of the appropriate protocols based on the image data in dependence
of the anatomy part present and/or the purpose of the examination
performed.

Specifically, it is respectfully submitted that the method of
claim 1 is not anticipated or made obvious by the teachings of
Argiro in view of Watrous. For example, Argiro in view of Watrous
does not disclose or suggest, a method that amongst other
patentable elements, comprises (illustrative emphasis provided)
"automatically analyzing the image data without user intervention;
c) deciding on the part of the subject's anatomy represented by the
image data based on results of the analysis of the image data;
and/or d) deciding on the purpose of the medical examination

performed on the subject based on results of the analysis of the image data; and e) <u>automatically selecting one or more of the appropriate protocols in dependence of the anatomy part present and/or the purpose of the examination performed</u>" as recited in claim 1, and as similarly recited in each of claims 10 and 11. Braess is introduced for allegedly showing elements of a dependent claim and as such, does nothing to cure the deficiencies in each of Argiro and Watrous.

Based on the foregoing, the Applicant respectfully submits that independent claims 1, 7 and 12 are patentable over Argiro in view of Watrous and notice to this effect is earnestly solicited. Claims 2-10 respectively depend from claim 1 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to

submit further arguments in support of the above stated position,
should that become necessary.  No arguments are waived and none of
the Examiner's statements are conceded.

Applicant has made a diligent and sincere effort to place this
application in condition for immediate allowance and notice to this
effect is earnestly solicited.

Respectfully submitted,

By
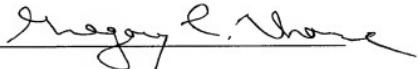
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